

252E.1B Establishing and modifying orders for medical support — actions initiated by child support recovery unit.

1. If the child support recovery unit is initiating an action to establish or modify support, [this section](#) shall apply in addition to the provisions of [section 252E.1A](#).

2. The unit shall apply the following order of priority when the unit enters or seeks an order for medical support:

a. If the custodial parent is currently providing coverage for the child under a health benefit plan other than public coverage, and the plan is available as described in [section 252E.1A, subsection 3](#), the unit shall enter or seek an order for the custodial parent to provide coverage.

b. If the noncustodial parent is currently providing coverage for the child under a health benefit plan other than public coverage, and the plan is available as described in [section 252E.1A, subsection 3](#), the unit shall enter or seek an order for the noncustodial parent to provide coverage.

c. If a health benefit plan other than public coverage is available as described in [section 252E.1A, subsection 3](#), to the custodial parent, the unit shall enter or seek an order for the custodial parent to provide coverage.

d. If a health benefit plan other than public coverage is available as described in [section 252E.1A, subsection 3](#), to the noncustodial parent, the unit shall enter or seek an order for the noncustodial parent to provide coverage.

e. If a health benefit plan other than public coverage is not available to either parent, and the custodial parent has public coverage for the child, the unit shall enter or seek an order for the custodial parent to provide health care coverage and shall enter or seek an order for the noncustodial parent to pay cash medical support. However, if any of the circumstances described in [section 252E.1A, subsection 4](#), paragraph “a”, “b”, or “c” is met, the unit shall enter or seek an order as specified by the applicable paragraph.

3. Notwithstanding [subsection 2](#), if there is an order for joint physical care for the child and the parties subject to the support order, the unit shall apply the following order of priority when the unit enters or seeks an order for medical support:

a. If only one parent is currently providing coverage for the child under a health benefit plan other than public coverage, and the plan is available as described in [section 252E.1A, subsection 3](#), the unit shall enter or seek an order for that parent to provide coverage.

b. If both parents are currently providing coverage for the child under a health benefit plan other than public coverage, and both plans are available as described in [section 252E.1A, subsection 3](#), the unit shall enter or seek an order for both parents to provide coverage.

c. If neither parent is currently providing coverage for the child under a health benefit plan other than public coverage, and a health benefit plan other than public coverage is available as described in [section 252E.1A, subsection 3](#), to one parent, the unit shall enter or seek an order for that parent to provide coverage.

d. If neither parent is currently providing coverage for the child under a health benefit plan other than public coverage, and a health benefit plan other than public coverage is available as described in [section 252E.1A, subsection 3](#), to both parents, the unit shall enter or seek an order for both parents to provide coverage.

e. If a health benefit plan other than public coverage is not available to either parent and one parent has public coverage for the child, the unit shall enter or seek an order for that parent to provide health care coverage.

4. The child support recovery unit or the court shall not order any modification to an existing medical support order in a proceeding conducted solely pursuant to [chapter 252H, subchapter IV](#).

2018 Acts, ch 1111, §4, 10

Referred to in §252E.1A